

**DOCKET FILE COPY ORIGINAL**

<b>FCC 603</b>	<b>FCC Wireless Telecommunications Bureau</b> <b>Application for Assignments of Authorization and Transfers of Control</b>	Approved by OMB 3060 - 0800 See instructions for public burden estimate  Submitted 07/06/2001 at 11:09AM  File Number: <b>0000512734</b>
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01-1913

1) Application Purpose: <b>Assignment of Authorization</b>	
2a) If this request is for an Amendment or Withdrawal, enter the File Number of the pending application currently on file with the FCC.	File Number:
2b) File numbers of related pending applications currently on file with the FCC:	

**Type of Transaction**

3a) Is this a <i>pro forma</i> assignment of authorization or transfer of control? <b>No</b>
3b) If the answer to Item 3a is 'Yes', is this a notification of a <i>pro forma</i> transaction being filed under the Commission's forbearance procedures for telecommunications licenses?
4) For assignment of authorization only, is this a partition and/or disaggregation? <b>No</b>
5) Does this filing request a waiver of the Commission's rules? <b>No</b>
6) Are attachments being filed with this application? <b>Yes</b>
7a) Does the transaction that is the subject of this application also involve transfer or assignment of other wireless licenses held by the assignor/transferor or affiliates of the assignor/transferor (e.g., parents, subsidiaries, or commonly controlled entities) that are not included on this form and for which Commission approval is required? <b>Yes</b>
7b) Does the transaction that is the subject of this application also involve transfer or assignment of non-wireless licenses that are not included on this form and for which Commission approval is required? <b>No</b>

**Transaction Information**

8) How will assignment of authorization or transfer of control be accomplished? <b>Sale or other assignment or transfer of stock</b> If required by applicable rule, attach as an exhibit a statement on how control is to be assigned or transferred, along with copies of any pertinent contracts, agreements, instruments, certified copies of Court Orders, etc.
9) The assignment of authorization or transfer of control of license is: <b>Voluntary</b>

**Licensee/Assignor Information**

10a) Taxpayer Identification Number: <b>L00144825</b>		10b) SGIN: <b>000</b>	10c) FCC Registration Number (FRN): <b>0003800943</b>
11) First Name (if individual): <b>Rick</b>	MI: <b>D</b>	Last Name: <b>Rhodes</b>	Suffix:
12) Entity Name (if not an individual): <b>Chadmoore Wireless Group, Inc.</b>			
13) Attention To:			
14) P.O. Box:	And / Or	15) Street Address: <b>2875 E. Patrick Lane, Suite G</b>	
16) City: <b>Las Vegas</b>	17) State: <b>NV</b>	18) Zip: <b>89120</b>	
19) Telephone Number: <b>(702)740-5633</b>		20) FAX: <b>(702)740-5643</b>	
21) E-Mail Address: <b>rickr@chadmoore.com</b>			

**22) Race, Ethnicity, Gender of Assignor/Licensee (Optional)**

<b>Race:</b>	American Indian or Alaska Native:	Asian:	Black or African-American:	Native Hawaiian or Other Pacific Islander:	White:
<b>Ethnicity:</b>	Hispanic or Latino:	Not Hispanic or Latino:			
<b>Gender:</b>	Female:	Male:			

**Transferor Information** (for transfers of control only)

23a) Taxpayer Identification Number:	23b) SGIN:	23c) FCC Registration Number (FRN):
24) First Name (if individual):	MI:	Last Name: Suffix:
25) Entity Name (if not an individual):		
26) P.O. Box:	And / Or	27) Street Address:
28) City:	29) State:	30) Zip:
31) Telephone Number:	32) FAX:	
33) E-Mail Address:		

**Name of Transferor Contact Representative** (if other than Transferor) (for transfers of control only)

34) First Name:	MI:	Last Name:	Suffix:
35) Company Name:			
36) P.O. Box:	And / Or	37) Street Address:	
38) City:	39) State:	40) Zip:	
41) Telephone Number:	42) FAX:		
43) E-Mail Address:			

**Assignee/Transferee Information**

44) The Assignee is a(n): <b>Corporation</b>		
45a) Taxpayer Identification Number: <b>L00003484</b>	45b) SGIN: <b>000</b>	45c) FCC Registration Number (FRN): <b>0002049880</b>
46) First Name (if individual):	MI:	Last Name: Suffix:
47) Entity Name (if other than individual): <b>NEXTEL LICENSE HOLDINGS 4, INC.</b>		
48) Name of Real Party in Interest: <b>NEXTEL COMMUNICATIONS, INC.</b>		49) TIN: <b>L00001014</b>
50) Attention To:		
51) P.O. Box:	And / Or	52) Street Address: <b>2001 EDMUND HALLEY DRIVE</b>
53) City: <b>RESTON</b>	54) State: <b>VA</b>	55) Zip: <b>20191</b>
56) Telephone Number: <b>(703)433-4000</b>	57) FAX: <b>(703)433-4035</b>	
58) E-Mail Address:		

**Name of Assignee/Transferee Contact Representative** (if other than Assignee/Transferee)

59) First Name: <b>ROBERT</b>	MI: <b>H</b>	Last Name: <b>MCNAMARA</b>	Suffix:
60) Company Name: <b>NEXTEL COMMUNICATIONS INC</b>			
61) P.O. Box:	And / Or	62) Street Address: <b>2001 EDMUND HALLEY DRIVE</b>	
63) City: <b>RESTON</b>	64) State: <b>VA</b>	65) Zip: <b>20191</b>	
66) Telephone Number: <b>(703)433-4000</b>	67) FAX: <b>(703)433-4035</b>		
68) E-Mail Address: <b>robert.mcnamara@nextel.com</b>			

**Alien Ownership Questions**

69) Is the Assignee or Transferee a foreign government or the representative of any foreign government?	No
70) Is the Assignee or Transferee an alien or the representative of an alien?	No
71) Is the Assignee or Transferee a corporation organized under the laws of any foreign government?	No
72) Is the Assignee or Transferee a corporation of which more than one-fifth of the capital stock is owned of record or voted by aliens or their representatives or by a foreign government or representative thereof or by any corporation organized under the laws of a foreign country?	No
73) Is the Assignee or Transferee directly or indirectly controlled by any other corporation of which more than one-fourth of the capital stock is owned of record or voted by aliens, their representatives, or by a foreign government or representative thereof, or by any corporation organized under the laws of a foreign country? If 'Yes', attach exhibit explaining nature and extent of alien or foreign ownership or control.	No

### Basic Qualification Questions

74) Has the Assignee or Transferee or any party to this application had any FCC station authorization, license or construction permit revoked or had any application for an initial, modification or renewal of FCC station authorization, license, construction permit denied by the Commission? If 'Yes', attach exhibit explaining circumstances.	No
75) Has the Assignee or Transferee or any party to this application, or any party directly or indirectly controlling the Assignee or Transferee, or any party to this application ever been convicted of a felony by any state or federal court? If 'Yes', attach exhibit explaining circumstances.	No
76) Has any court finally adjudged the Assignee or Transferee, or any party directly or indirectly controlling the Assignee or Transferee guilty of unlawfully monopolizing or attempting unlawfully to monopolize radio communication, directly or indirectly, through control of manufacture or sale of radio apparatus, exclusive traffic arrangement, or any other means or unfair methods of competition? If 'Yes', attach exhibit explaining circumstances.	No
77) Is the Assignee or Transferee, or any party directly or indirectly controlling the Assignee or Transferee currently a party in any pending matter referred to in the preceding two items? If 'Yes', attach exhibit explaining circumstances.	No

### 78) Race, Ethnicity, Gender of Assignee/Transferee (Optional)

<b>Race:</b>	American Indian or Alaska Native:	Asian:	Black or African-American:	Native Hawaiian or Other Pacific Islander:	White:
<b>Ethnicity:</b>	Hispanic or Latino:	Not Hispanic or Latino:			
<b>Gender:</b>	Female:	Male:			

### Assignor/Transferor Certification Statements

1) The Assignor or Transferor certifies either (1) that the authorization will not be assigned or that control of the license will not be transferred until the consent of the Federal Communications Commission has been given, or (2) that prior Commission consent is not required because the transaction is subject to streamlined notification procedures for <i>pro forma</i> assignments and transfers by telecommunications carriers. See <i>Memorandum Opinion and Order</i> , 13 FCC Rcd. 6293(1998).
2) The Assignor or Transferor certifies that all statements made in this application and in the exhibits, attachments, or in documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.
79) Typed or Printed Name of Party Authorized to Sign
First Name: Rick MI: D Last Name: Rhodes Suffix:
80) Title: Chief Regulatory Officer
Signature: Rick D Rhodes 81) Date: 07/06/01

### Assignee/Transferee Certification Statements

1) The Assignee or Transferee certifies either (1) that the authorization will not be assigned or that control of the license will not be transferred until the consent of the Federal Communications Commission has been given, or (2) that prior Commission consent is not required because the transaction is subject to streamlined notification procedures for *pro forma* assignments and transfers by telecommunications carriers. See *Memorandum Opinion and Order*, 13 FCC Rcd. 6293 (1998).

2) The Assignee or Transferee waives any claim to the use of any particular frequency or of the electromagnetic spectrum as against the regulatory power of the United States because of the previous use of the same, whether by license or otherwise, and requests an authorization in accordance with this application.

3) The Assignee or Transferee certifies that grant of this application would not cause the Assignee or Transferee to be in violation of any pertinent cross-ownership, attribution, or spectrum cap rule.\*  
\*If the applicant has sought a waiver of any such rule in connection with this application, it may make this certification subject to the outcome of the waiver request.

4) The Assignee or Transferee agrees to assume all obligations and abide by all conditions imposed on the Assignor or Transferor under the subject authorization(s), unless the Federal Communications Commission pursuant to a request made herein otherwise allows, except for liability for any act done by, or any right accrued by, or any suit or proceeding had or commenced against the Assignor or Transferor prior to this assignment.

5) The Assignee or Transferee certifies that all statements made in this application and in the exhibits, attachments, or in documents incorporated by reference are material, are part of this application, and are true, complete, correct, and made in good faith.

6) The Assignee or Transferee certifies that neither it nor any other party to the application is subject to a denial of Federal benefits pursuant to Section 5301 of the Anti-Drug Abuse Act of 1998, 21 U.S.C § 862, because of a conviction for possession or distribution of a controlled substance. See Section 1.2002(b) of the rules, 47 CFR § 1.2002(b), for the definition of "party to the application" as used in this certification.

7) The applicant certifies that it either (1) has an updated Form 602 on file with the Commission, (2) is filing an updated Form 602 simultaneously with this application, or (3) is not required to file Form 602 under the Commission's Rules.

82) Typed or Printed Name of Party Authorized to Sign

First Name: <b>JAMES</b>	MI: <b>L</b>	Last Name: <b>WHEATON</b>	Suffix:
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83) Title: **MANAGER, COMPLIANCE**

Signature: <b>JAMES L WHEATON</b>	84) Date: <b>07/06/01</b>
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**WILLFUL FALSE STATEMENTS MADE ON THIS FORM OR ANY ATTACHMENTS ARE PUNISHABLE BY FINE AND/OR IMPRISONMENT (U.S. Code, Title 18, Section 1001) AND/OR REVOCATION OF ANY STATION LICENSE OR CONSTRUCTION PERMIT (U.S. Code, Title 47, Section 312(a)(1)), AND/OR FORFEITURE (U.S. Code, Title 47, Section 503).**

### Authorizations To Be Assigned or Transferred

85) Call Sign	86) Location Number	87) Path Number (Microwave only)	88) Lower or Center Frequency (MHz)	89) Upper Frequency (MHz)	90) Constructed Yes / No
WZC790					Yes
WPCJ652					Yes
WPCT437					Yes
WPCT440					Yes
WPDV602					Yes
WPFZ954					Yes
WPEF464					Yes
WPEF470					Yes
WPEY489					Yes
WPEY490					Yes
WPFA206					Yes
WPFA209					Yes
WPCM721					Yes
WPHE626					Yes
WPHE682					Yes
WPHI642					Yes
WPHJ236					Yes
WPHJ248					Yes
WPHJ249					Yes
WPEQ397					Yes

WPEQ404	Yes
WPEI992	Yes
WPEI998	Yes
WPDU568	Yes
WPES890	Yes
WPES902	Yes
WPES941	Yes
WPET283	Yes
WPES933	Yes
WPET285	Yes
WPET307	Yes
WPET317	Yes
WPEN829	Yes
WPEV444	Yes
WPEV450	Yes
WPEV479	Yes
WPFW869	Yes
WPFW874	Yes
WPFF344	Yes
WPFF353	Yes
WPFF365	Yes
WPFF369	Yes
WPFF384	Yes
WPFF411	Yes
WPFF412	Yes
WPFF322	Yes
WPFF325	Yes
WPFF328	Yes
WPFF330	Yes
WPFF331	Yes
WPFF333	Yes
WPFF335	Yes
WPFF340	Yes
WPFF341	Yes
WPFF343	Yes
WPEH648	Yes
WPEH670	Yes
WPEH671	Yes
WPHA913	Yes
WPHB937	Yes
WPEB425	Yes
WPEB447	Yes
WPGX670	Yes
WPGZ580	Yes
WPGZ584	Yes
WPHM475	Yes
WPHG983	Yes
WPBZ454	Yes
WPBZ455	Yes
WPBZ456	Yes
WPFY204	Yes
WPDY313	Yes
WPFH648	Yes
WPFH728	Yes

WPFX880	Yes
WPFX916	Yes
WPFX272	Yes
WPDB619	Yes
WPDB639	Yes
WPDC540	Yes
WPDW294	Yes
WPDD445	Yes
WPFY479	Yes
WPHB960	Yes
WPHB968	Yes
WPFM703	Yes
WPFM723	Yes
WPFM731	Yes
WPFM786	Yes
WPEU215	Yes
WPEU216	Yes
WPEU218	Yes
WPEX364	Yes
WPEX365	Yes
WPEX372	Yes
WPEX373	Yes
WPEX391	Yes
WPEX400	Yes
WPEJ981	Yes
WPEJ982	Yes
WPEK200	Yes
WPGD693	Yes
WPGD697	Yes
WPGD699	Yes
WPF245	Yes
WPDS937	Yes
WPDS987	Yes
WPEC378	Yes
WPEC382	Yes
WPFT478	Yes
WPFT534	Yes
WPFT562	Yes
WPFT278	Yes
WPFT463	Yes
WPDF736	Yes
WPFY284	Yes
WPFY286	Yes
WPFY304	Yes
WPEN326	Yes
WPFK401	Yes
WPFK411	Yes
WPCA831	Yes
WPCA877	Yes
WPCB786	Yes
WPCB821	Yes
WPCB830	Yes
WPCB834	Yes

WPGJ937	Yes
WPET374	Yes
WPET375	Yes
WPET931	Yes
WPET940	Yes
WPET967	Yes
WPER951	Yes
WPER955	Yes
WPDA459	Yes
WPGD353	Yes
WPFZ513	Yes
WPFZ548	Yes
WFFF534	Yes
WFFF538	Yes
WFFF544	Yes
WPBY669	Yes
WPJG536	Yes
WPCJ301	Yes
WPCJ302	Yes
WPCJ333	Yes
WPCJ348	Yes
WPCJ401	Yes
WPEK644	Yes
WPEK645	Yes
WPGC372	Yes
WPFU510	Yes
WPFU550	Yes
WPEI838	Yes
WPEX832	Yes
WPEX850	Yes
WPEY413	Yes
WPFC788	Yes
WPFC793	Yes
WPFC819	Yes
WPFC823	Yes
WPFB318	Yes
WPFB321	Yes
WPCJ411	Yes
WPCJ426	Yes
WPCJ429	Yes
WPCJ430	Yes
WPEG533	Yes
WPEG620	Yes
WPCW917	Yes
WPEM240	Yes
WPEM257	Yes
WFFF997	Yes
WPGF212	Yes
WPFV874	Yes
WPFV937	Yes
WPFV869	Yes
WPFV873	Yes
WPGN485	Yes
WPGN489	Yes

WPHI597	Yes
WPFA333	Yes
WPFA349	Yes
WPFA354	Yes
WPFA355	Yes
WPFA357	Yes
WPFA358	Yes
WPFA373	Yes
WPET429	Yes
WPET431	Yes
WPET435	Yes
WPEQ774	Yes
WPEQ778	Yes
WPEQ792	Yes
WPCJ851	Yes
WPHB271	Yes
WPFC722	Yes
WPCN982	Yes
WPCN985	Yes
WPCN987	Yes
WPCN989	Yes
WPCG773	Yes
WPCG775	Yes
WPDx902	Yes
WPDx915	Yes
WPEB557	Yes
WPEH580	Yes
WPER484	Yes
WPER501	Yes
WPER509	Yes
WPER482	Yes
WPER483	Yes
WPEI727	Yes
WPEI734	Yes
WPEI758	Yes
WPEK427	Yes
WPEK431	Yes
WPEZ962	Yes
WPEZ986	Yes
WPFA256	Yes
WPFA274	Yes
WPFA295	Yes
WPFA297	Yes
WPFA317	Yes
WPFA323	Yes
WPFA328	Yes
WPFA331	Yes
WPFC878	Yes
WPFD583	Yes
WPFD599	Yes
WPFD602	Yes
WPFD606	Yes
WPFD622	Yes



WPF624			Yes
WPFF681			Yes
WPFF689			Yes
WPFH528			Yes
WPEJ235			Yes
WPEJ242			Yes
WPGY677			Yes
WPEX463			Yes
WPEX464			Yes
WPEX496			Yes
WPEX492	1	851.1375	Yes
WPEX492	2	851.3625	Yes
WPEX492	1	851.6375	Yes
WPER962			Yes
WPER965			Yes
WPDK438			Yes
WPDK442			Yes
WPED622			Yes
WPEQ423			Yes
WPEQ428			Yes
WPEQ430			Yes
WPEQ432			Yes
WPEN241			Yes
WPEN249			Yes
WPEP243			Yes
WPFC827			Yes
WPFC829			Yes
WPFC830			Yes
WPFC841			Yes
WPFC843			Yes
WPFC870			Yes
WPDJ350			Yes
WPDJ371			Yes
WPDE978			Yes
WPEB387			Yes
WPEB391			Yes
WPCE730			Yes
WPMG623			Yes
WPED573			Yes
WPDB885			Yes
WPDF440			Yes
WPDF461			Yes
WPDG805			Yes
WPDG778			Yes
WPFH482			Yes
WPFH485			Yes
WPFH486			Yes
WPHG778			Yes
WPEJ470			Yes
WPEJ482			Yes
WPEJ499	1	854.4875	Yes
WPEF965			Yes
WPEF984			Yes
WPEG236			Yes

WPG576			Yes
WPG590			Yes
WPG597			Yes
WPG655			Yes
WPFQ582			Yes
WPFQ586			Yes
WPGJ703			Yes
WPGZ616			Yes
WPGX639			Yes
WPGR676			Yes
WPHQ378			Yes
WPFV446			Yes
WPFV447			Yes
WPEU464			Yes
WPEU504			Yes
WPGK610			Yes
WPHQ442			Yes
WPEJ451			Yes
WPEJ455			Yes
WPEJ462			Yes
WPDR605			Yes
WPEN888			Yes
WPGD527			Yes
WPDC584			Yes
WPDC593			Yes
WPDX938			Yes
WPEM624			Yes
WPEM629			Yes
WPEM644			Yes
WPDM925			Yes
WPDM986			Yes
WPDU219			Yes
WPDU235			Yes
WPDU202			Yes
WPFT964			Yes
WPFU284			Yes
WPFU290			Yes
WPFE457	1	854.2375	Yes
WPFE462			Yes
WPFE483			Yes
WPFE490			Yes
WPFE509			Yes
WPFE508			Yes
WPFE457	2	851.1875	Yes
WPFE457	1	851.6875	Yes
WPFE457	1	852.2125	Yes
WPFE457	1	852.4125	Yes
WPFE457	1	852.6625	Yes
WPFE457	2	852.7625	Yes
WPFE457	1	853.8875	Yes
WPFE457	1	853.9375	Yes
WPFE457	2	854.0875	Yes
WPFE457	2	854.1125	Yes

WPFE457	1	854.1375	Yes
WPFB323			Yes
WPFB327			Yes
WPFB329			Yes
WPFW253			Yes
WPFW257			Yes
WPFW261			Yes
WPFW314			Yes
WPFW768			Yes
WPET452			Yes
WPET439			Yes
WPET443			Yes
WPER526			Yes
WPEI761			Yes
WPEI775			Yes
WPEI776			Yes
WPEI796			Yes
WPDG974			Yes
WPDG982			Yes
WPDW240			Yes
WPEN275	1	854.0375	Yes
WPEN275	1	854.1375	Yes
WPEN275	1	852.1625	Yes
WPEN275	1	852.1875	Yes
WPEN275	1	852.3375	Yes
WPEN275	1	853.2625	Yes
WPEN275	1	854.2875	Yes
WPEN275	1	854.3625	Yes
WPEN275	1	852.2625	Yes
WPEN275	1	852.4125	Yes
WPEN275	1	853.2875	Yes
WPEN275	1	854.0125	Yes
WPEN275	1	854.2125	Yes
WPEN271			Yes
WPEN275	1	852.2125	Yes
WPEN275	1	852.2375	Yes
WPEN275	1	852.9625	Yes
WPEN275	1	853.3125	Yes
WPEK438			Yes
WPEK452			Yes
WPEK453			Yes
WPEK469			Yes
WPEK472			Yes
WPET377			Yes
WPET379			Yes
WPET395			Yes
WPET399			Yes
WPEU235			Yes
WPEU236			Yes
WPEU435			Yes
WPFC728			Yes
WPFC736			Yes
WPFC748			Yes
WPFC764			Yes

WPFD792	Yes
WPFD793	Yes
WPFD804	Yes
WPFD816	Yes
WPFD797	Yes
WPFV511	Yes
WPDN218	Yes
WPDN260	Yes
WPDN264	Yes
WPCB835	Yes
WPFD689	Yes
WPFD716	Yes
WPFD733	Yes
WPGD342	Yes
WPHI440	Yes
WPEK687	Yes
WPEK717	Yes
WPHG994	Yes
WPHH290	Yes
WPCQ324	Yes
WPCQ325	Yes
WPEQ440	Yes
WPEQ452	Yes
WPEQ457	Yes
WPEQ461	Yes
WPEX344	Yes
WPEH634	Yes
WPDR761	Yes
WPEZ661	Yes
WPEZ684	Yes
WPFZ594	Yes
WPFZ598	Yes
WPDU283	Yes
WPEU665	Yes
WPEU715	Yes
WPEU718	Yes
WPFA374	Yes
WPFA383	Yes
WPFA433	Yes

<b>FCC Form 603</b> <b>Schedule A</b>	<b>Schedule for Assignments of Authorization and Transfers of Control in Auctioned Services</b>	Approved by OMB 3060 - 0800 See instructions for public burden estimate
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### Assignments of Authorization

#### 1) Assignee Eligibility for Installment Payments (for assignments of authorization only)

Is the Assignee claiming the same category or a smaller category of eligibility for installment payments as the Assignor (as determined by the applicable rules governing the licenses issued to the Assignor)?	No
If 'Yes', is the Assignee applying for installment payments?	

#### 2) Gross Revenues and Total Assets Information (if required) (for assignments of authorization only)

Refer to applicable auction rules for method to determine required gross revenues and total assets information

Year 1 Gross Revenues (current)	Year 2 Gross Revenues	Year 3 Gross Revenues	Total Assets:
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#### 3) Certification Statements

##### For Assignees Claiming Eligibility as an Entrepreneur Under the General Rule

Assignee certifies that they are eligible to obtain the licenses for which they apply.
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##### For Assignees Claiming Eligibility as a Publicly Traded Corporation

Assignee certifies that they are eligible to obtain the licenses for which they apply and that they comply with the definition of a Publicly Traded Corporation, as set out in the applicable FCC rules.
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##### For Assignees Claiming Eligibility Using a Control Group Structure

Assignee certifies that they are eligible to obtain the licenses for which they apply.
Assignee certifies that the applicant's sole control group member is a pre-existing entity, if applicable.

##### For Assignees Claiming Eligibility as a Very Small Business, Very Small Business Consortium, Small Business, or as a Small Business Consortium

Assignee certifies that they are eligible to obtain the licenses for which they apply.
Assignee certifies that the applicant's sole control group member is a pre-existing entity, if applicable.

##### For Assignees Claiming Eligibility as a Rural Telephone Company

Assignee certifies that they meet the definition of a Rural Telephone Company as set out in the applicable FCC rules, and must disclose all parties to agreement(s) to partition licenses won in this auction. See applicable FCC rules.
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### Transfers of Control

#### 4) Licensee Eligibility (for transfers of control only)

As a result of transfer of control, must the licensee now claim a larger or higher category of eligibility than was originally declared?
If 'Yes', the new category of eligibility of the licensee is:

#### Certification Statement for Transferees

Transferee certifies that the answers provided in Item 4 are true and correct.
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### Attachment List

Attachment Type	Date	Description	Contents
Other	07/06/01	Attachment 1-Dismissal and Revocation Statement	<a href="#">17667202.0.pdf</a>
Other	07/06/01	Attachment 2-Public Interest Statement	<a href="#">17667203.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-800 MHz Site Licenses Part 1	<a href="#">17667204.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-800 MHz Site Licenses Part 2	<a href="#">17667206.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-800 MHz Site Licenses Part 3	<a href="#">17667207.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-800 MHz Site Licenses Part 4	<a href="#">17667208.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-800 MHz EA Licenses	<a href="#">17667209.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-900 MHz Site Licenses	<a href="#">17667210.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-900 MHz MTA Licenses	<a href="#">17667211.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-450 MHz Site Licenses Part 3	<a href="#">17667214.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-450 MHz Site Licenses Part 4	<a href="#">17667215.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-450 MHz Site Licenses Part 5	<a href="#">17667219.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-450 MHz Site Licenses Part 6	<a href="#">17667220.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-450 MHz Site Licenses Part 7	<a href="#">17667222.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-450 MHz Site Licenses Part 8	<a href="#">17667223.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-450 MHz Site Licenses Part 9	<a href="#">17667224.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-450 MHz Site Licenses Part 10	<a href="#">17667225.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-450 MHz Site Licenses Part 11	<a href="#">17667226.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-450 MHz Site Licenses Part 12	<a href="#">17667227.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-450 MHz Site Licenses Part 13	<a href="#">17667228.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-450 MHz Site Licenses Part 14	<a href="#">17667229.0.pdf</a>

Other	07/06/01	Exhibit 1, Attachment 2-450 MHz Site Licenses Part 15	<a href="#">17667233.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-450 MHz Site Licenses Part 16	<a href="#">17667234.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-450 MHz Site Licenses Part 17	<a href="#">17667235.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-450 MHz Site Licenses Part 18	<a href="#">17667236.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-220 MHz EA Licenses	<a href="#">17667237.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-220 MHz EAG Licenses	<a href="#">17667238.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-AMTS Licenses	<a href="#">17667239.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-Cellular CMA Licenses	<a href="#">17667240.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-PCS BTA Licenses	<a href="#">17667241.0.pdf</a>
Other	07/06/01	Exhibit 1, Attachment 2-PCS MTA Licenses	<a href="#">17667242.0.pdf</a>
Other	07/06/01	Exhibit 2, Attachment 2-Market Channel Counts	<a href="#">17667243.0.pdf</a>
Other	07/06/01	Exhibit 3, Attachment 2-Mobile to Mobile Calling Plans	<a href="#">17667244.0.pdf</a>
Other	07/06/01	Exhibit 3, Attachment 2-ATT Webpage	<a href="#">17667245.0.pdf</a>
Other	07/06/01	Exhibit 4, Attachment 2-Rosston Report	<a href="#">17667246.0.pdf</a>
Other	07/06/01	Exhibit 2, Attachment 1-450 MHz Site Licenses Part 1	<a href="#">17667249.0.pdf</a>
Other	07/06/01	Exhibit 2, Attachment 1-450 MHz Site Licenses Part 2	<a href="#">17667250.0.pdf</a>

**DISMISSALS AND REVOCATIONS**

In response to FCC Form 601, Item 45, Applicant has had no licenses revoked by the FCC. Applicant hereby provides the circumstances of various insignificant dismissals or denials of applications filed by the applicant and/or its affiliates.

Applicant and/or its affiliates hold many Federal Communications Commission (“Commission”) licenses primarily for Special Mobile Radio (“SMR”) systems, many authorizing several hundred channels in a station’s area of operation. From time to time, an application associated with one of these facilities may be dismissed by the FCC, in whole or in part, typically for technical reasons such as a mistake in calculating the SMR interference protection standards set forth in Sections 90.621(b) of the Commission’s Rules. To the best of Applicant’s knowledge, however, none of the above-referenced dismissals or revocations was based on a character issue as defined by the FCC’s Rules and policies. Therefore, the FCC should find the Applicant has the requisite basic qualifications to be awarded the grant of the instant application.



**PUBLIC INTEREST STATEMENT****I. INTRODUCTION**

This application proposes the assignment of 800 MHz and 900 MHz licenses from Chadmoore Wireless Group, Inc. (“Chadmoore”) to the wholly owned subsidiaries of Nextel Communications, Inc. (collectively “Nextel”) that are listed in the relevant assignment applications.<sup>1</sup> In support of this application, Nextel respectfully submits this public interest statement evidencing that the proposed assignments will not result in any competitive harm. On the contrary, the assignments will advance the public interest by enhancing Nextel’s ability to expand its array of mobile wireless services and heighten competition within the Commercial Mobile Radio Services (“CMRS”) market – a marketplace that is increasingly converging as the Wireless Telecommunications Bureau (“Bureau”) recently recognized.<sup>2</sup>

This public interest statement demonstrates that the assignments will benefit the public without competitive harm whether the Bureau uses a CMRS market definition or analyzes the transaction in separate dispatch and interconnected mobile voice telephony markets. Because of the significant degree of competition for all of these services, there is no chance for Nextel to act

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<sup>1</sup> The proposed transaction involves primarily the assignment of approximately eight hundred and thirty-five 800 MHz SMR licenses, although there are sixteen 900 MHz MTA licenses to be assigned pursuant to the parties’ agreement.

<sup>2</sup> See Motorola, Inc., Motorola SMR, Inc. and Motorola Communications and Electronics, Inc., Assignors and FCI, 900, Inc., Assignee, For Consent to Assignment of 900 MHz Specialized Mobile Radio Licenses, DA 01-947, released April 17, 2001 (hereinafter “*Motorola*”) at para. 12 (“[w]e also recognize the increasing convergence of CMRS services and may well adopt a broader market definition in reviewing future transactions.”); see also AWI Spectrum Co., LLC, Assignor and ACI 900, Inc., Assignee For Consent to Assignment of Specialized Mobile Radio Licenses, DA 01-1268, rel. May 25, 2001 (“*Arch*”) at ¶ 11 (“We recognize that these product markets continue to evolve so that the dividing lines between are becoming less clear.”)

anticompetitively and harm consumers. To the contrary, Nextel's path of spectrum acquisition has allowed it to increase capacity, lower prices, and provide innovative services.

Within the CMRS marketplace, Nextel has helped transform the pricing and billing of interconnected mobile telephone services,<sup>3</sup> provided advanced dispatch services in the CMRS market, fostered the increasing competitiveness of the CMRS marketplace, and assisted in "bringing the benefits of mobility to an ever-increasing segment of the country."<sup>4</sup> Additionally the Commission as stated that "the operator most responsible for using digital technology to make SMR a mobile telephone competitor has been Nextel."<sup>5</sup> Within the separate trunked dispatch service market, Nextel is but one of several providers of dispatch services, and as the Commission recently found, would have no ability to increase prices even in this narrowly defined relevant market.<sup>6</sup>

Nextel has, on average, only 20 MHz of 800 and 900 MHz spectrum available to it in major U.S. markets, and Nextel is constrained in its ability to access all of this spectrum throughout its markets.<sup>7</sup> Nextel's limited spectrum holding stands in sharp contrast to the 25 MHz of clear spectrum that its cellular competitors hold and which they can fully use and reuse throughout an entire market, not to mention the 30 MHz or more of contiguous, clear spectrum that PCS competitors hold in many markets. Therefore, Nextel's plan to acquire and revamp Chadmoore's

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<sup>3</sup> See, e.g., September 2000 Strategis Report at p. 54 ("The Strategis Group believes that Nextel's subscriber growth rates have evoked a profound response from AT&T Wireless and other cellular operators.")

<sup>4</sup> Fourth Report on Competition at p. 5.

<sup>5</sup> Fifth Report on Competition at p. 30.

<sup>6</sup> See, e.g., Geotek Communications Inc., *Memorandum Opinion and Order*, 15 F.C.C.R. 790 at ¶ 38 (WTB 2000), *aff'd*, *Order on Reconsideration*, DA 01-51 (WTB, rel. Jan. 9, 2001) ("*Geotek*").

<sup>7</sup> The 20 MHz average figure includes both Nextel's 800 MHz and 900 MHz spectrum and counts

licenses to support and improve Nextel's offerings of integrated digital wireless services will put this spectrum to its highest and best use as an effective and innovative competitor in the CMRS marketplace. Nextel is best positioned to use these licenses to benefit the public interest because it can integrate them immediately into its digital mobile network to achieve efficiencies in the nationwide provision of mobile communications services. The proposed assignment of Chadmoore's licenses to Nextel ultimately will fuel a virtuous cycle of competition as its CMRS competitors are forced to respond with additional product and pricing innovations – all to the benefit of the American consumer.

## **II. BACKGROUND**

Chadmoore, the assignor of the 800 and 900 MHz licenses discussed herein, is a provider of traditional analog dispatch services in numerous areas throughout the country. Today, nearly all of those users are businesses that use radios with access only to non-interconnected dispatch services. A very small percentage of Chadmoore's approximately 35,000 customers have access to limited interconnect capabilities.

Nextel currently provides CMRS service in some 400 cities in the U.S. and serves over seven million subscribers,<sup>8</sup> as one of at least six CMRS providers with a national footprint.<sup>9</sup> Nextel has invested more than \$7 billion dollars to establish a national digital network to provide a full range of wireless communications services in competition with other CMRS providers. Nextel's digital CMRS service integrates in a single mobile handset a digital dispatch service (known as Nextel

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spectrum that is not subject to Nextel's exclusive control.

<sup>8</sup> See Press Release "Nextel Reports First Quarter 2001 Results," released May 1, 2001.

<sup>9</sup> Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993, Annual Report and Analysis of Competitive Market Conditions With Respect to Commercial Mobile Services, *Fifth Report*, 15 F.C.C.R. 17660, at pp. 9-10 (2000) ("Fifth Report on Competition").

Direct Connect<sup>(sm)</sup>) with interconnected mobile telephone service, short messaging and mobile data service.<sup>10</sup> Even standing alone, Nextel's Direct Connect service offers more than simply trunked dispatch. According to the Commission, Direct Connect "to some degree [ ] is a substitute for mobile voice features such as speed dialing and conference calling."<sup>11</sup> Thus, by offering this integrated package of services, Nextel has become a significant competitor to the established CMRS carriers throughout the Nation and continues to compete successfully in the provision of CMRS services.<sup>12</sup>

The attached Exhibit 1 provides a list of the 150 MSAs within which Chadmoore currently holds 800 or 900 MHz licenses, and a listing of all cellular, Personal Communications Services ("PCS"), 800 and 900 MHz, 220 MHz, 450 MHz and 217-219 MHz licensees in those markets.<sup>13</sup>

All of the licensees listed in Exhibit 1 are authorized by the Commission to provide interconnected mobile telephone service and/or dispatch services. Each of these licensees, therefore, provides actual or potential competition to Nextel and Chadmoore in those geographic areas. Exhibit 2 provides a listing of the 150 impacted MSAs and the respective channel counts of Nextel and Chadmoore in each MSA.

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<sup>10</sup> Nextel's Direct Connect is a significant advancement over traditional analog dispatch services because it expands the typical dispatch service coverage area, uses the spectrum more efficiently, provides extra security through the use of digital technology, and offers the user a number of options and features, including mobile telephone, paging, wireless Internet and voice mail.

<sup>11</sup> Fifth Report on Competition at p. 70.

<sup>12</sup> *Id.* at pp. 11, 30; *see also* Implementation of Section 6002(b) of the Omnibus Budget Reconciliation Act of 1993, Annual Report and Analysis of Competitive Market Conditions with Respect to Commercial Mobile Services, *Fourth Report*, 14 F.C.C.R. 10145, 10150 at fn. 18 (1999) ("Fourth Report on Competition").

<sup>13</sup> These 150 MSAs represent every MSA where Chadmoore holds channels within 25 miles of the core of the MSA.

### III. DISCUSSION

Section 310(d) of the Communications Act requires the Commission to determine whether the proposed assignment of Chadmoore's licenses to Nextel will serve the public interest, convenience and necessity.<sup>14</sup> As explained in the Bureau's recent Order approving Nextel's acquisition of Motorola's 900 MHz licenses, this public interest determination includes an assessment of the transaction's impact on competition.<sup>15</sup> In this case, as in *Motorola*, the assignment of the subject licenses will put the spectrum to more efficient use by integrating it into Nextel's iDEN system, will enhance Nextel's ability to compete in the CMRS marketplace, and is not, therefore, "likely to cause competitive harm. . . and is likely to produce some public interest benefits."<sup>16</sup>

#### A. The CMRS Marketplace Is the Relevant Market for the Bureau's Public Interest Analysis

In analyzing these potential pro-competitive impacts, the Bureau should rely on its previous findings that wireless voice services have converged into a single CMRS marketplace within which Nextel's services aggressively compete. For example, the Bureau stated in *Geotek* that

"We are now more prepared to broaden our consideration of the competitive impact of market participants outside of the sharply delineated [mobile voice and trunked dispatch] wireless sectors we have used recently when evaluating proposed transfers and assignments. The convergence of these technologies leads us to believe that consumers may begin to use more of these wireless services interchangeably (and that carriers may increasingly market such services to the same set of consumers)."<sup>17</sup>

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<sup>14</sup> 47 U.S.C. § 310(d).

<sup>15</sup> *Motorola* at ¶ 9; *see also* *Arch* at ¶ 9; *Geotek* at ¶ 8.

<sup>16</sup> *Motorola* at ¶ 38; *see also* *Arch* at ¶ 16.

<sup>17</sup> *Geotek* at ¶ 27.

Vigorous competition is driving this convergence by forcing every CMRS provider to develop a full range of wireless offerings, including mobile telephone, group calling and data capabilities. Whether a carrier utilizes cellular, PCS or SMR spectrum, or any combination thereof,<sup>18</sup> a wireless carrier must offer not just mobile voice or just trunked dispatch service, but a menu of mobile telephone, group calling and advanced data capabilities in order to remain competitive in the CMRS market because consumers base their purchasing choices on the full array of services and pricing options offered by all CMRS carriers.

As Chairman Powell stated just last week, “[e]verything [the Commission does] is about consumers.”<sup>19</sup> This “cardinal rule,” as the Chairman described it, should be used in analyzing transactions, such as this one, that will promote consumer welfare by enhancing competition, spectrum efficiency and product and service innovation. Consumers base their purchasing decisions on their own communications needs and how a particular provider’s menu of services can meet those needs; they do not base their purchasing choices on the spectrum used by each carrier providing these mobile services. Therefore, the Commission should not base its competitive analysis on such artificial spectrum classifications, but instead should consider the competitive realities of the

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<sup>18</sup> These categories reflect only the spectrum band on which a carrier may have initiated service originally, many providers now hold licenses, for example, for both “cellular” and “PCS” spectrum and their customers have dual-band based phones capable of operating on either cellular or PCS frequencies. As a result of technology and marketplace dynamics, all CMRS carriers are developing integrated suites of mobile communications services that compete with one another for the communications business of people “on the go.” From the customer’s perspective, the fact that Nextel primarily operates using spectrum denominated as “SMR” and Sprint PCS, for example, operates primarily on spectrum denominated as “PCS” is irrelevant in choosing between their competing offerings.

<sup>19</sup> Remarks by Michael K. Powell, Chairman, Federal Communications Commission, Before the Federal Communications Bar Association, Washington, D.C., June 21, 2001, at p. 6.

wireless marketplace.<sup>20</sup>

Pronouncements from Congress, the Commission, the Bureau, industry analysts and CMRS carriers support the conclusion that the industry has converged toward a single, broad-based CMRS market. Nextel's offering of integrated mobile voice/dispatch services triggered this wave of competition, and the assignment of Chadmoore's licenses to Nextel will benefit all wireless consumers by fueling the growth of competition and the development of an expanding menu of services and options. For these reasons, the only relevant market for analyzing Nextel's acquisition of Chadmoore's channels is the CMRS marketplace.

**1. Congress, the Commission and the Bureau Have Recognized the Existence of a Single CMRS Product Market and the Need to Promote Regulatory Parity Within CMRS.**

As early as 1994, the Commission concluded that all CMRS services are competitive or potentially competitive and are, therefore, part of a single product market.<sup>21</sup> Congress created this CMRS classification of mobile services in 1993 due to the convergence of numerous private and common carrier mobile services, such as cellular, 800 MHz SMR and 900 MHz SMR, that were fulfilling similar consumer needs through similar service offerings.<sup>22</sup> As technologies had improved

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<sup>20</sup> Indeed, the FCC long ago eliminated prohibitions on the offering of dispatch services by CMRS providers. *See Use of Radio Dispatch Communications, Report and Order*, 10 F.C.C.R. 6280, ¶ 1 (1995) ("we eliminate our prohibition on the provision of dispatch service by providers of Commercial Mobile Radio Service . . . including cellular licensees . . . After reviewing the record, we find that these restrictions no longer serve the public interest and should be eliminated.").

<sup>21</sup> *See Third Report and Order*, 9 F.C.C.R. 8009, at ¶¶ 37 *et seq.* (1994) ("Third R&O"); *see also* Applications of Nextel Communications, Inc. for Transfer of Control of OneComm Corporation, 10 F.C.C.R. 3361, at ¶ 27 ("OneComm"); Order on the Assignment of Motorola Licenses, 10 F.C.C.R. 7783 at ¶ 17 (WTB 1995) ("Motorola"). In the OneComm and Motorola decisions, in particular, the Bureau concluded that, based on the Third R&O, "800 MHz SMR [is viewed] as just one of many competitive services within the large CMRS marketplace." OneComm at ¶ 27; Motorola at ¶ 17.

<sup>22</sup> *Omnibus Budget Reconciliation Act of 1993*, Pub. L. No. 103-66, 107 Stat. 312 (1993) ("1993 Budget Act").

and these services increasingly began to address the same consumer needs, Congress changed the law to ensure that all CMRS carriers would be subject to a common regulatory framework.<sup>23</sup>

In 1997, when the Bureau evaluated Nextel's proposed acquisition of Pittencrieff Communications, Inc.,<sup>24</sup> nascent mobile competition from SMR providers such as Nextel had not developed sufficiently to provide cellular and PCS service providers an incentive to offer an array of products to compete against SMR providers' menu of mobile voice, paging and dispatch services. The Bureau in *Pittencrieff* thus found that, while cellular and PCS "entry into dispatch services is not inherently costly, challenging, or unduly time-consuming," and that the regulatory barriers to non-SMR carriers providing dispatch services had been removed in 1995, separate product markets for mobile voice and trunked dispatch services still existed at that time.<sup>25</sup> Looking forward to cellular and PCS carriers' future response to SMR competition, however, the Bureau noted that, "[w]hile carriers currently find it more profitable to devote their spectrum to uses other than voice dispatch, substantial growth in mobile communications service capacity, especially in urban centers, is likely to change the relative profitability of these other services and create incentives to allocate more spectrum to the provision of dispatch-type services."<sup>26</sup>

By last year, in *Geotek*, the Bureau found that "legitimate questions can be raised about the suitability of the market definitions we found appropriate in *Pittencrieff* three years ago [and w]e are

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<sup>23</sup> See Implementation of Sections 3(n) and 332 of the Communications Act, Regulatory Treatment of Mobile Services, *Second Report and Order*, 9 F.C.C.R. 1411, 1418, at ¶ 13 (1994).

<sup>24</sup> Applications of Pittencrieff Communications, Inc., Transferor, and Nextel Communications, Inc., Transferee, for Consent to Transfer Control of Pittencrieff Communications, Inc. and its Subsidiaries, *Memorandum Opinion and Order*, 13 F.C.C.R. 8935 (WTB 1997) ("Pittencrief").

<sup>25</sup> *Id.* at ¶¶ 44, 54.

<sup>26</sup> *Id.* at ¶ 54.



now more prepared to broaden our consideration of the competitive impact of market participants outside of the sharply delineated wireless sectors we have used recently when evaluating proposed transfers and assignments.”<sup>27</sup> However, because the Bureau found that the transfer of Geotek’s 900 MHz licenses to Nextel would be pro-competitive “regardless of the market definition adopted,” it evaluated the proposed transfer’s competitive effects under the two-market framework of *Pittencrieff* “for convenience,” while emphasizing that “the boundaries between various CMRS sectors are fluid.”<sup>28</sup>

Following the Bureau’s *Geotek* decision, the Commission released its Fifth Report on Competition and similarly chronicled the convergence of services as cellular and PCS licensees, spurred by competition from SMR providers’ integrated mobile voice/dispatch service packages, offer increasingly competitive calling plans intended to compete with the group functionality of dispatch services.<sup>29</sup> Finally, in April 2001, the Bureau “recognize[d] the increasing convergence of CMRS services” and stated that it “may well adopt a broader market definition in reviewing future transactions.”<sup>30</sup> These findings of Congress, the Commission and the Bureau reflect the reality that all CMRS providers now compete directly with one another in a single, integrated CMRS market.

## **2. The Marketplace Recognizes that Cellular, PCS and SMR Providers All Compete Directly With One Another in Single**

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<sup>27</sup> *Geotek* at ¶ 27.

<sup>28</sup> *Id.* at ¶¶ 27-28 (“These changes result from the Commission’s general policy of allowing flexible use in the CMRS sector, and even more importantly, from the rapid evolution of technology and the wireless marketplace. For example, mobile data services are emerging and are becoming closely integrated with mobile voice and other offerings. Also, services offered by cellular and broadband PCS firms are increasingly competing with services offered by paging and messaging carriers.”)

<sup>29</sup> Fifth Report on Competition at p. 71.

<sup>30</sup> *Motorola* at ¶ 12; *see also Arch* at ¶ 11 (“... we do not foreclose the possibility that we may adopt an expanded market definition in a future transaction. . .”).